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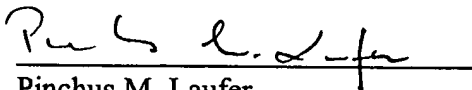
In re U.S. Patent of: James Patrick Quaile )  
Application No. 09/821,526 )  
Filed: March 29, 2001 )  
U.S. Publication No. 2002/0165841 )  
Published: November 7, 2002 )  
For: METHOD AND APPARATUS FOR )  
FACILITATING DISPLAY OF AN )  
ADVERTISEMENT WITH )  
SOFTWARE )

**NOTIFICATION OF  
IDENTIFICATION OF PRIOR  
ART IN LATE PROTEST  
UNDER 37 C.F.R. § 1.291(a)**

The protest filed May16, 2005, is not a proper citation under 37 C.F.R. §1.291(a) for the following reasons: (1) The required statement under 1.291(b)(2) was not provided; (2) a copy of each reference was not provided 1.291(c)(3); and (3) it was filed after the November 7, 2002, publication date of the application.

Because the protest does not comply with the rule it is not being entered in the application file. The original protest is enclosed with this letter and the duplicate copy submitted by the protestor is being destroyed. (MPEP § 1901.06)

If appropriate, Applicant may wish to consider submitting prior art from the protest pursuant to 37 C.F.R. §1.97 and 37 C.F.R. §1.56 during the prosecution of the application.



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Enc: Protest (1 page)